

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kevin J. Dowling et al.  
Serial No.: 10/045,604  
Confirmation No.: 3464  
Filed: October 23, 2001  
For: SYSTEMS AND METHODS FOR DIGITAL ENTERTAINMENT  
Examiner: A, Minh D  
Art Unit: 2821

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office action, but before the mailing date of any final action under 37 C.F.R. §1.113, a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

**PART II: Information Cited**

The Applicant would like to bring to the Examiner's attention the following co-pending application(s)/issued patent(s):

| Serial No. | Filing Date | Inventor(s)    | Atty. Docket No. | Patent No. |
|------------|-------------|----------------|------------------|------------|
| 09/213,548 | 12/17/1998  | Lys et al.     | C1104.70050US00  | 6,166,496  |
| 09/815,418 | 03/22/2001  | Lys et al.     | C1104.70053US00  | 6,577,080  |
| 09/886,958 | 06/21/2001  | Dowling et al. | C1104.70005US00  |            |
| 11/070,870 | 03/02/2005  | Mueller et al. | C1104.70135US01  |            |
| 10/951,122 | 09/27/2004  | Dowling et al. | C1104.70087US01  |            |

The above-identified co-pending application(s)/issued patent(s) may include technically-related subject matter and/or claims that may be similar to the present application. In handling prosecution of the above-identified application(s)/patent(s), the Examiner(s) for these other application(s)/patent(s) presumably search(es) for relevant prior art, and in some circumstances may be taking positions about prior art which may show one or more features that are similar to at least some of the features recited in the claims of the present application.

Accordingly, the Examiner in the present application is requested to review the entire file history of the above-identified application(s)/patent(s), including the pending claims, cited references, Office Actions, Responses, etc., to see whether there is any information that the Examiner believes may be relevant to the prosecution of the present application. It is assumed that the Examiner has access to the file histories of each of the above-identified application(s)/patent(s). However, if the Examiner would like copies of any or all of the information included in the file history of any of the above-identified application(s)/patent(s), the Examiner is asked to contact the undersigned representative. If the undersigned representative is not contacted by the Examiner with such a request, then the undersigned representative will assume that the Examiner has reviewed or will review the file history of the above-identified application(s)/patent(s).

### PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

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